

ORIGINAL

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Federal Public Defender
District of Hawaii

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Attorney for Defendant
RUDY K. SOUZA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 08 2007
at 2 o'clock and 15 min. P.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) Cr. No. 02-00549 HG
)
Plaintiff,) SECOND DECLARATION OF
) COUNSEL TO MOTION TO
vs.) CORRECT PRESENTENCE
) REPORT FILED FEBRUARY 7,
RUDY K. SOUZA,) 2007; CERTIFICATE OF SERVICE
)
Defendant.) (non-hearing motion)
)

**SECOND DECLARATION OF COUNSEL TO MOTION TO
CORRECT PRESENTENCE REPORT FILED FEBRUARY 7, 2007**

I, SHANLYN A. S. PARK, hereby declare as follows:

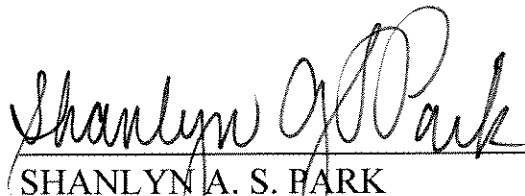
1. I am counsel for defendant, RUDY K. SOUZA, having been
appointed pursuant to the Criminal Justice Act.

2. On February 8, 2007, counsel met with United States Probation Officer Carter Lee. Mr. Lee indicated that after reviewing the motion and supporting documentation, he does not object to correcting Mr. Souza's Presentence Report to reflect that Mr. Souza was acquitted of the charged offenses in Counts 1 through 9 and only found guilty of the lesser included offense of Unlawful Imprisonment in the Second Degree as to Count 9.

3. The facts and statements set forth in the foregoing document are true and correct to the best of my knowledge and belief.

I DECLARE UNDER PENALTY OF PERJURY THAT THE
FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawaii, February 8, 2007.


SHANLYN A. S. PARK
Attorney for Defendant
RUDY K. SOUZA

In the United States District Court, for the District of Hawaii,
United States v. Souza, Cr. No. 02-00549 HG;
Second Declaration of Counsel

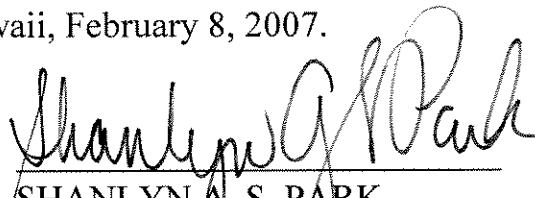
CERTIFICATE OF SERVICE

SHANLYN A. S. PARK, hereby certifies that on the date and by the method of service noted below, a true and correct copy of the foregoing was hand delivered on the following at the last known address:

ELIZABETH JOSEPHSON
Special Assistant United States Attorney
Attorney for Plaintiff
UNITED STATES OF AMERICA

CARTER LEE
Probation Officer
United States Probation Office
300 Ala Moana Boulevard, Room C-126
Honolulu, Hawaii 96850

DATED: Honolulu, Hawaii, February 8, 2007.



SHANLYN A. S. PARK
Attorney for Defendant
RUDY K. SOUZA